

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Pure Hospitality, LLC
t/a Bandolero
3241 M Street, NW
Retailer CR - ANC-2E
License No. 75631
Case #13-PRO-00066

Protest
Hearing

(Renewal Application)

March 5, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

P-R-O-C-E-E-D-I-N-G-S

(2:47 p.m.)

CHAIRPERSON MILLER: So you all
are here for, I assume, Case No. 13-PRO-00066,
Bandolero located at 3241 M Street, N.W.,
License No. 75631, in ANC-2E.

So when you are ready, if you
would identify yourself for the record,
please?

MR. KLINE: Yes. Good afternoon,
Andrew Kline on behalf of the licensee.
Seated to my left are Bethany and Jonathan
Umbel, who is also the licensee.

CHAIRPERSON MILLER: Okay. And be
sure to sign-in, too. Thank you. All right.
And?

MS. THOMAS-WILLIFORD: Hi. Good
afternoon. Kwamina Williford from Holland &
Knight on behalf of the protestant 2441 Bond
Street Equities, LLC. To my right is a
representative for that -- the protestant, Max
Wexler -- Matt Wexler.

1 CHAIRPERSON MILLER: Okay. So you
2 all are here for a Protest Hearing.

3 Is there a preliminary issue?

4 MS. THOMAS-WILLIFORD: Yes. Yes,
5 there is a preliminary matter that we would
6 like to bring to the Board's attention.

7 In particular, the protestant and
8 licensee would like to jointly move to
9 continue this Protest Hearing, the basis of
10 which is the parties have been in negotiations
11 and are close to reaching a global settlement
12 related that would include this and we think
13 that there is good progress made towards that.

14 Our fear is pushing forward with
15 this Protest Hearing may actually throw some
16 salt in the wounds and may throw off
17 negotiations, which we hope does not happen.

18 So in the interest of trying to
19 have these matters resolved, the parties have
20 agreed to jointly move to try to continue this
21 if the Board so agrees or approves.

22 MR. KLINE: Yes, and I agree. But

1 just to fill in the blanks --

2 CHAIRPERSON MILLER: Um-hum.

3 MR. KLINE: -- because it may not
4 be clear, we haven't gotten that far. There
5 are actually several other actions between
6 these two parties in other arenas before other
7 bodies, so this is merely one.

8 So what Ms. Williford was
9 referring to is that all of these actions, if
10 they were to be settled, would be settled
11 including this one. And we did join in the
12 request that the hearing be continued.

13 CHAIRPERSON MILLER: Okay. I'm
14 just curious. Is there a time frame when you
15 expect within a certain amount of months or
16 anything?

17 MS. THOMAS-WILLIFORD: Well, at
18 this time, it's hard to have a time frame. I
19 do know that they are actually very close,
20 which is significant progress.

21 CHAIRPERSON MILLER: Okay.

22 MS. THOMAS-WILLIFORD: And so our

1 goal and our hope is that this will end soon,
2 but I can't tell you an exact date, as I'm not
3 the lawyer negotiating it on the other side,
4 but I know that there is good faith efforts on
5 both sides to resolve this quickly.

6 CHAIRPERSON MILLER: Okay. Well,
7 that's good to hear. So this is a joint
8 motion for continuance?

9 MR. KLINE: Yes, it is.

10 CHAIRPERSON MILLER: Okay. Board
11 Members have any other questions? Okay. So
12 we have before us a joint motion for a
13 continuance.

14 I would move that we grant the
15 motion.

16 MEMBER SHORT: Second.

17 CHAIRPERSON MILLER: Mr. Short has
18 seconded the motion to grant. I'll take a
19 vote then.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON MILLER: All those

1 opposed? All those abstaining? Then the
2 motion passes 5-0-0.

3 And we won't give you a date right
4 now. You can be in touch with our General
5 Counsel, Martha Jenkins.

6 MR. KLINE: Sure.

7 CHAIRPERSON MILLER: Okay.

8 MR. KLINE: Great.

9 CHAIRPERSON MILLER: Well, thank
10 you.

11 MR. KLINE: Thank you.

12 CHAIRPERSON MILLER: Best of luck.

13 MS. THOMAS-WILLIFORD: Thank you
14 very much.

15 MR. KLINE: Enjoy your free
16 afternoon that we have created for you.

17 (Whereupon, the Protest Hearing in
18 the above-entitled matter was concluded at
19 2:50 p.m.)

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<hr/> A <hr/> above-entitled 6:18 abstaining 6:1 actions 4:5,9 afternoon 2:10,18 6:16 agree 3:22 agreed 3:20 agrees 3:21 Alcoholic 1:2,12,13 amount 4:15 ANC-2E 1:7 2:6 Andrew 2:11 Application 1:9 approves 3:21 arenas 4:6 assume 2:4 attention 3:6 aye 5:20,21	COLUMBIA 1:1 concluded 6:18 continuance 5:8,13 continue 3:9,20 continued 4:12 Control 1:2,12,13 Counsel 6:5 CR 1:7 created 6:16 curious 4:14	hard 4:18 hear 5:7 hearing 1:6,13 3:2 3:9,15 4:12 6:17 HECTOR 1:19 Hi 2:17 Holland 2:18 hope 3:17 5:1 Hospitality 1:5	matter 1:4 3:5 6:18 matters 3:19 Max 2:21 MEETING 1:3 Member 1:18,18,19 1:19 5:16 Members 5:11 merely 4:7 met 1:13 MIKE 1:18 Miller 1:14,17 2:3 2:14 3:1 4:2,13,21 5:6,10,17,22 6:7,9 6:12 months 4:15 motion 5:8,12,15 5:18 6:2 move 3:8,20 5:14	Pure 1:5 pushing 3:14
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